

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Godfrey

Confirmation No.: 3927

Serial No.: 10/543,049

Group Art Unit: 3771

Filing Date: July 21, 2005

Examiner: C. Ostrup

For: FIXATION DEVICE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR §1.97.

[X] Copies of the references are attached.

(NOTE: Applicants have cited U.S. Office Actions in the Non-Patent Literature section of the PTO-1449. As electronic copies of U.S. Office Actions are readily available to the Examiner, certainly as much so as electronic copies of U.S. Patents or U.S. Patent Applications, Applicants respectfully disagree with the Examiner's contention that copies of U.S. Office Actions from related cases must be submitted to the Office; however, in order to expedite prosecution of this application, Applicants submit copies of the Office Actions herewith.)

[] Copies of the references were submitted in parent application ____ Serial No. _____. (37 CFR §1.98(d)).

[] A copy of the International Search Report which issued on International Application No. ____ is submitted herewith. All of the publications cited in the International Search Report are listed on the attached Form PTO-1449, and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. [] The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. (37 CFR §1.97(b)).

OR

[X] **The Information Disclosure Statement submitted herewith is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 CFR §1.114. (37 CFR §1.97(b)(4)).**

B. [] The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in §1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final Office Action under §1.113 or
- (2) a Notice of Allowance under §1.311,

whichever occurs first.

- [] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- [] Applicant elects the option to pay the fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c) (\$180.00).
- C. [] The Information Disclosure Statement transmitted herewith is being filed **after** a final Office Action under §1.113, or a Notice of Allowance under §1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which issued on International Publication No. _____.

In accordance with the requirements of 37 CFR §1.97(d):

- [] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- OR
- [] Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; and
- [] The petition fee set forth in §1.17(i)(1) (\$180.00) is submitted herewith.

- [X] Please charge any required fees to Deposit Account No. 07-1392.
[] A duplicate copy of this paper is attached.

Respectfully submitted,

/J. MICHAEL STRICKLAND/

J. Michael Strickland
Attorney of Record
Registration No. 47,115

Date: January 30, 2009
Customer No. 23347
GlaxoSmithKline
Corporate Intellectual Property
5 Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709-3398
Telephone: (919) 483-9024
Facsimile: (919) 483-7988